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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,528	05/25/2007	Geert Delandsheer	26297	1371
22880	7590	10/12/2010	EXAMINER	
OWENS CORNING 2790 COLUMBUS ROAD GRANVILLE, OH 43023			GRAY, JILL M	
			ART UNIT	PAPER NUMBER
			1798	
			NOTIFICATION DATE	DELIVERY MODE
			10/12/2010	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USIPDEPT@owenscorning.com

### Office Action Summary

**Application No.**

10/599,528

**Applicant(s)**

DELANDSHEER, GEERT

**Examiner**

Jill Gray

**Art Unit**

1782

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 16-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 16-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 25, 2010 has been entered.
2. Pursuant to the entry of the amendment of August 25, 2010, the status of the claims is as follows: claims 1-11 and 16-24 are pending. Claims 12-15 are cancelled. Claims 1, 8, 10, 16, 18, and 19 have been amended.

### ***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-11 and 16-24 are rejected under 35 U.S.C. 102(b) and (e) as being anticipated by PCT Patent Publication WO 96/27039 and US 2007/0010154 (hereinafter referred to collectively as "Claeys"), for reasons of record.

### **Regarding Independent claims 1 and 16**

Claeys discloses strengthening material suitable for reinforcement in composites and laminates produced therewith, said strengthening material comprising at least one singular thickness-providing layer in the form of a knit of glass fiber, and at least one singular strengthening layer connected to the singular thickness providing layer. See abstracts of '039 and '154. In addition, Claeys discloses that the layers are fastened

together by a polyester thread. See '154 [0018] and '039, page 4, line 15. The examiner equates the polyester thread with the present claimed monofilament. In addition, Claeys discloses the formation of laminates. Note [0018] and [0024]-[0025]. The requirement for and "at least one monofilament" does not distinguish the knit glass fibers of Claeys. Knit glass monofilaments are fully embraced by the prior art teachings, note Example 1, which teaches a knit of glass fiber.

Accordingly, Claeys anticipates the invention of present claims 1 and 16.

**Regarding dependent claims 2-11 and 17-34**

Regarding claims 2 and 18, Claeys discloses a polyester thread. See '154 [0018] and '039, page 4, line 15.

Regarding claims 3-4, and 20, Claeys discloses a thickness of 1-10 mm. See '154 [0007] and '039, page 2, lines 10-11.

Regarding claims 5-6, 9, and 21-23, Claeys discloses a weight of 200 g/m<sup>2</sup>. See [0023].

Regarding claims 7 and 24, Claeys discloses a strengthening layer that can be glass fibers. See [0024].

Regarding claims 8, 10, and 19, Claeys discloses that the strengthening layer can be of the type contemplated by applicants, such as membranes or non-wovens and is connected to the thickness layer by means such as sewing or knitting.. See [0016] and [0017].

Regarding claims 11, and 17, Claeys discloses materials comprising two strengthening layers and one thickness providing layer sandwiched between these two layers. See [0023] and [0024].

**Examiner's conclusion**

The teaching of Claeys anticipates the invention as claimed in present claims 1-11 and 16-24.

***Response to Arguments***

5. Applicant's arguments filed August 25, 2010 have been fully considered but they are not persuasive.

Applicants argue that Claeys does not teach or suggest a strengthening material that includes at least one singular thickness providing layer in the form of a knit formed of at least one monofilament and a member selected from glass filaments, glass yarns and combinations thereof.

In this regard, it is noted in the examples of Claeys that he forms his strengthening material from a knit of glass fibers. This teaching anticipates the present claimed invention.

No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill Gray whose telephone number is 571-272-1524. The examiner can normally be reached on M-Th and alternate Fridays 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jill Gray/  
Primary Examiner  
Art Unit 1782

jmg